

UNITED STATES BANKRUPTCY COURT  
District of New Jersey

Albert Russo  
CN 4853  
Trenton, NJ 08650  
(609) 587-6888  
Standing Chapter 13 Trustee

In re:

Kevin J. Murphy

Debtor(s)



Order Filed on September 19, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-11269 / KCF

Chapter: 13

Hearing Date: September 12, 2018

Judge: Kathryn C. Ferguson

### CHAPTER 13 STANDING TRUSTEE PRE-CONFIRMATION ORDER OF DISMISSAL

The relief set forth on the following page is **ORDERED**.

**DATED: September 19, 2018**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

The Court having determined that dismissal of this case is appropriate, it is hereby

ORDERED that the debtor's case is dismissed for:

- failure to file a feasible plan, income and/or budget statement
- failure to make all required pre-confirmation payments to the Trustee
- lack of prosecution
- failure to file tax returns
- failure to resolve Trustee and/or creditor objection

and it is further

ORDERED that:

Pursuant to 11 U.S.C. § 349(b), this court for cause retains jurisdiction over any application filed within 14 days of the date of this order by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

The Chapter 13 Standing Trustee may pay the balance of the standard attorney fees to the debtor's counsel in the amount of \$2000 from available funds on hand received prior to dismissal.

Any funds held by the Chapter 13 Standing Trustee from payments made on account of the debtor's plan shall be disbursed to the debtor, less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan, or by Court order.

Any *Order to Employer to Pay the Chapter 13 Trustee* that has been entered in this case is vacated, and the employer is ordered to cease wage withholding immediately.

All outstanding fees due to the Court are due and owing and must be paid within 7 days of the date of this order.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Kevin J. Murphy  
Debtor

Case No. 18-11269-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Sep 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 21, 2018.

db #+Kevin J. Murphy, 2430 Sycamore Street, Manasquan, NJ 08736-1719

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 21, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 19, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK  
as Trustee for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA7  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Eugene D. Roth on behalf of Debtor Kevin J. Murphy erthesq@gmail.com  
Laura M. Egerman on behalf of Creditor THE BANK OF NEW YORK MELLON bkyecf@rasflaw.com,  
bkyecf@rasflaw.com;legerman@rasnj.com  
Laura M. Egerman on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK  
as Trustee for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA7 bkyecf@rasflaw.com,  
bkyecf@rasflaw.com;legerman@rasnj.com  
Laura M. Egerman on behalf of Creditor The Bank of New York Mellon bkyecf@rasflaw.com,  
bkyecf@rasflaw.com;legerman@rasnj.com  
Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW  
YORK as Trustee for FIRST HORIZON ALTERNATIVE MORTGAGE SECURITIES TRUST 2006-FA7  
rsolarz@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8